

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-20821

v.

Honorable Nancy G. Edmunds

SUZAN BERRO, D-10,

Defendant.

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**ORDER GRANTING IN PART AND DENYING IN PART SUZAN BERRO'S MOTION  
FOR PRODUCTION OF FD 302 REPORTS, PLEA & COOPERATION AGREEMENTS  
AND PRETRIAL & PROBATION REPORTS REGARDING LINDA FAWAZ [255]**

Before the Court is Defendant Suzan Berro's motion for production of FD 302 Reports, plea and cooperation agreements, and pretrial and probation reports regarding Linda Fawaz. (ECF No. 255.) Linda Fawaz, a co-defendant in this case, pled guilty and awaits sentencing. The Government has advised Defendant Berro that it plans to call Linda Fawaz as a witness for the Government in the trial against Defendant Berro. Berro therefore moves the Court for the following material in order to prepare for trial: all outstanding FD 302 reports regarding Fawaz, Fawaz's plea and cooperation agreements, and any guideline estimate provided to Fawaz and/or the Court at the time the Government made its plea offer to Fawaz as well as any other estimates or communication made to Fawaz regarding guideline estimates or plea negotiations. (*Id.*, PageID.1289.) Berro also requests that the Government stipulate to the production of Fawaz's Pretrial Services Report and Presentence Report.

The Government did not file a response to Berro's motion but has communicated to Berro that it believes the majority of material in Fawaz's Pretrial Services Report and

Presentence Report is neither necessary nor appropriate. Accordingly, the Government is only willing to provide Fawaz's criminal history. The Court agrees with the Government in this regard. But the Court agrees with Defendant Berro with respect to her entitlement to any outstanding FD 302 reports regarding Fawaz, Fawaz's plea and cooperation agreements, and any other writings or written communications pertaining to Fawaz's plea negotiations or guideline estimates. Defendant Berro's Motion (ECF No. 255) is therefore GRANTED IN PART AND DENIED IN PART. The Motion is DENIED with respect to Berro's request for Fawaz's complete Pretrial Services Report and Presentence Report. The Motion is GRANTED with regard to the other materials discussed above. Accordingly, the Government is HEREBY ORDERED to turn over to Defendant Berro, and her attorney, the following materials as soon as possible: (1) any outstanding FD 302 report regarding Linda Fawaz; (2) Fawaz's plea and cooperation agreements and any writings or written communications pertaining thereto; (3) Fawaz's sentencing guideline estimates or written communications regarding her sentencing guideline estimates that were provided to her or the Court; and (4) the complete criminal history of Fawaz as it appears in Fawaz's Pretrial Services Report and Presentence Report.

SO ORDERED.

s/ Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: December 16, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 16, 2022, by electronic and/or ordinary mail.

s/ Lisa Bartlett  
Case Manager